

IFW 3736

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Alexandria, VA 22313 on August 2, 2006.

REQUEST FOR CORRECTION OF
FILING RECEIPT
Examining Group 3736
Patent Application
Docket No. R&G-108
Serial No. 10/531,764

Doran R. Pace
Doran R. Pace, Patent Attorney

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit : 3736
Applicants : Gary Steven Ungless, Nigel Robert Oakley
Serial No. : 10/531,764
Filed : April 18, 2005
Conf. No. : 3763
For : Cardiac Monitoring Apparatus and Method

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR CORRECTION OF FILING RECEIPT

Sir:

Applicants respectfully request the correction of an error in the Filing Receipt for the above-identified patent application.

In addition to claiming foreign priority to British patent application No. GB 0224299.8, filed October 18, 2002 (which is listed on the Filing Receipt), the subject application also claims domestic priority to U.S. patent application Serial No. 10/314,208, filed December 9, 2002. However, the Filing Receipt does not list patent application Serial No. 10/314,208 under the "Domestic Priority data as claimed by applicant" section. A copy of the Declaration and Power of Attorney document and the Preliminary Amendment submitted to the Patent Office with the filing materials on April 18, 2005 listing application No. 10/314,208 in the Cross-Reference to Related Application section is attached. The benefit claim to application No. 10/314,208 was made on the date on which the

national stage commenced and, therefore, Applicants have satisfied the requirements of 37 CFR §1.78.

Accordingly, Applicants respectfully request that a corrected Filing Receipt which includes U.S. patent application Serial No. 10/314,208 in the "Domestic Priority data as claimed by applicant" section of the Filing Receipt be sent to Applicants' undersigned representative.

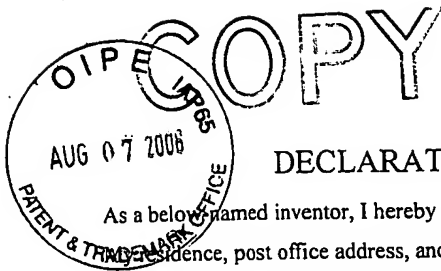
Respectfully submitted,



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Address: P.O. Box 142950
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DRP/kmm

Attachments: copy of Preliminary Amendment dated April 18, 2005
copy of unexecuted Declaration and Power of Attorney document



DECLARATION (37 C.F.R. § 1.63) AND POWER OF ATTORNEY

As a below-named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name; and

I believe that I am the original, first, and sole inventor (if only one name is listed below), or an original, first, and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **CARDIAC MONITORING APPARATUS AND METHOD**, the specification for which

☐ is attached hereto.

☒ was filed October 16, 2003, as PCT International Application No. PCT/GB2003/004487.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information, which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56 (a).

I hereby claim foreign priority benefits under Title 35, United States Code §119 and/or §365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Application Serial No.	Country	Filing Date	Priority Claimed
0224299.8	Great Britain	October 18, 2002	Yes

I hereby claim priority benefits under Title 35, United States Code §119 of any provisional application(s) for patent listed below:

Application Serial No.	Filing Date	Priority Claimed
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I hereby claim the benefit under Title 35, United States Code, §120 and/or §365 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No.	Filing Date	Status (Patented, Pending, Abandoned)
10/314,208	December 9, 2002	Pending

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint the following persons registered to practice before the Patent and Trademark Office as my attorneys with full power of substitution and revocation to prosecute this application and all divisions and continuations thereof and to transact all business in the Patent and Trademark Office connected therewith who are associated with **Customer Number 23557**.

The attorneys/patent agents currently associated with this Customer Number are: David R. Saliwanchik, Reg. No. 31,794; Jeff Lloyd, Reg. No. 35,589; Doran R. Pace, Reg. No. 38,261; Jay M. Sanders, Reg. No. 39,355; Jean Kyle, Reg. No. 36,987; James S. Parker, Reg. No. 40,119; Frank C. Eisenschenk, Reg. No. 45,332; Glenn P. Ladwig, Reg. No. 46,853; Margaret Efron, Reg. No. 47,545; Gwendolyn L. Daniels, Reg. No. 51,594; John M. Sanders, Reg. No. 30,126; Jenna M. Morrison, Reg. No. 55,468; and and Mai-Tram Dinh Lauer, Reg. No. 43,589

I request that all correspondence be sent to:

Doran R. Pace
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A Professional Association
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Gainesville, FL 32614-2950

I further request that all telephone communications be directed to:

Doran R. Pace
352-375-8100

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Date _____

Signature of First or Sole Inventor _____

.....

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Date _____

Signature of Second Joint Inventor _____

.....

Name of Third Joint Inventor _____

Residence _____ Citizenship _____

Post Office Address _____

Date _____

Signature of Third Joint Inventor _____

.....

Name of Fourth Joint Inventor _____

Residence _____ Citizenship _____

Post Office Address _____

Date _____

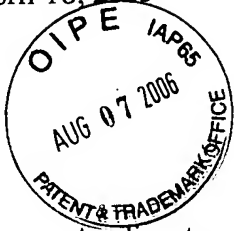
Signature of Fourth Joint Inventor _____

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April 18, 2005

PRELIMINARY AMENDMENT
Patent Application
Docket No. R&G-108



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Gary Steven Ungless, Nigel Robert Oakley
Docket No. : R&G-108
For : Cardiac Monitoring Apparatus and Method

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PRELIMINARY AMENDMENT

Sir:

It is respectfully requested that the above-identified patent application be amended as follows:

In the Specification

Please insert the following new paragraph after the Title of the invention on page 1, line 1:

Cross-Reference to Related Application

This application, which is the U.S. national stage application of International Patent Application No. PCT/GB2003/004487, filed October 16, 2003, is a continuation-in-part of U.S. application Serial No. 10/314,208, filed December 9, 2002.

After page 27: Please insert as new page 28 the attached Abstract of the Disclosure.

In the Claims

1-22 (canceled).

23 (new). A monitor for monitoring a user's heart, comprising:

a support means for securing the monitor in position for sensing the user's heart beat, the support means being for attachment to a single adhesive electrocardiogram (ECG) electrode both to support the monitor and for receiving electrical signals from the ECG electrode;

a means for electrically coupling the monitor to a second ECG electrode for receiving signals therefrom;

a cardiac sensor for receiving signals from the ECG electrodes; and

a processor coupled to the cardiac sensor for generating cardiac data.

24 (new). The monitor according to claim 23, in which the coupling means comprises an electrical lead extending from a housing of the monitor or a socket in the housing of the monitor for receiving an electrical lead.

25 (new). The monitor according to claim 23, in which the single adhesive ECG electrode is a standard ECG electrode.

26 (new). The monitor according to claim 23, in which the maximum lateral dimension of the ECG electrode is 55mm or less.

27 (new). The monitor according to claim 23, in which the maximum lateral dimension of the monitor is 35mm or less.

28 (new). The monitor according to claim 23, in which the maximum lateral dimension of the monitor is less than or equal to the maximum lateral dimension of the ECG electrode.

29 (new). The monitor according to claim 23, in which the monitor, in use, does not extend beyond an outer edge of the ECG electrode.

30 (new). The monitor according to claim 23, in which the weight of the monitor is less than 50 grams.

31 (new). The monitor according to claim 23, comprising a memory coupled to an output of the processor for storing the cardiac data.

32 (new). The monitor according to claim 23, in which the processor generates inter-beat interval data from signals it receives from the cardiac sensor.

33 (new). The monitor according to claim 23, further comprising an accelerometer coupled to the processor, so that the processor can generate movement data.

34 (new). The monitor according to claim 33, in which the processor processes signals it receives from the cardiac sensor according to a predetermined parameter in order to generate the cardiac data and modifies that parameter in response to signals it receives from the accelerometer.

35 (new). The monitor according to claim 33, in which a parameter, such as a gain parameter or a threshold voltage, used in deriving the cardiac data from an output of the cardiac sensor is variable in response to an output from the accelerometer or a movement or activity parameter derived therefrom.

36 (new). The monitor according to claim 23, comprising contacts for making electrical contact with two ECG electrodes, in which the same contacts are couplable to an interface for transferring data from and/or to the monitor, and/or for resetting or reprogramming the monitor, and/or for recharging a battery for powering the monitor.

37 (new). The monitor according to claim 33, in which the monitor in use is secured to the chest or torso of the user so that the accelerometer is oriented to sense vertical movements of the user's chest or torso.

38 (new). The monitor according to claim 23, which is of small size and weight so as to be comfortable for a user to wear for extended data sampling periods.


39 (new). A method for monitoring a user's heart, comprising the steps of:
sensing the user's heart beat by using a cardiac sensor secured to the user's body by means of a single ECG electrode;
processing cardiac signals to generate cardiac data; and
storing or displaying the data.

40 (new). The method according to claim 39, comprising the step of sensing movement of the cardiac sensor and processing movement signals to generate movement data.

Remarks

The Commissioner is hereby authorized to charge any fees under 37 CFR §§1.16, 1.17, and 1.492 as required by this paper to Deposit Account No. 19-0065.

Respectfully submitted,



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DRP/sl

Attachment: Abstract of the Disclosure

Abstract of the Disclosure

The present invention pertains to a monitor that includes a cardiac sensor (36) responsive to a user's heart beat. The monitor includes a processor coupled to the sensor for generating heart-rate or other cardiac data. These data can be stored in a memory. The
5 monitor is physically supported by and receives electrical signals from a single ECG electrode, and is coupled by an electrical lead to a second ECG electrode.